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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,<sup>1</sup>

USA Capital Diversified Trust Deed Fund,  
LLC,

USA Capital First Trust Deed Fund, LLC,<sup>2</sup>

USA Securities, LLC,<sup>3</sup>

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**Status And Agenda For January 11,  
2010 Hearing filed by USACM  
Liquidating Trust**

Hearing Date: January 11, 2010  
Hearing Time: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1                   **1. Order Re: Status Hearing:** 08-01066-lbr Debt Acquisition Company Of  
2 America V, LLC v. Compass USA Spe, LLC et al (ap) Lead case: 06-10725-lbr USA  
3 Commercial Mortgage Company

4       **Filed:**                   Order Re: Status Hearing. Continued Status hearing to be held on  
5 10/07/2009                   1/11/2010 at 09:30 AM at LBR-Courtroom 1, Foley Federal  
6 Bldg.. [77]

7       **Status**

8                   **2. Status Hearing Re: Amended Complaint:** Adv. 08-01058-lbr USACM  
9 Liquidating Trust v. Los Valles Land & Golf, LLC et al.: Lead case: 06-10725-lbr USA  
10 Commercial Mortgage Company

11       **Filed:**                   Amended Complaint of USACM Liquidating Trust against Los  
12 3/13/08                   Valles Land & Golf, LLC and Dan S. Palmer, Jr. Filed by ROB  
13 CHARLES on behalf of USACM LIQUIDATING TRUST  
14 against Dan S. Palmer Jr., LOS VALLES LAND & GOLF, LLC  
15 [6]

16       **Status**                   The parties have reached a tentative settlement that they expect  
17 will be final, subject to court approval, before the hearing. Thus,  
18 the parties expect to ask the Court to vacate this item from the  
19 Court's calendar.

20                   **3. Renewed Motion For Summary Judgment [DE 40] As To Defendants'**  
21 **Nine Unresolved Affirmative Defenses:** Adv. 08-01058-lbr USACM Liquidating Trust  
22 v. Los Valles Land & Golf, LLC et al.: Lead case: 06-10725-lbr USA Commercial  
23 Mortgage Company

24       **Motion Filed:**           Renewed Motion for Summary Judgment [DE 40] as to  
25 10/16/2009                   Defendants' Nine Unresolved Affirmative Defenses Filed by  
26 JOHN HINDERAKER on behalf of USACM LIQUIDATING  
TRUST [97]

**Status**                   The parties have reached a tentative settlement that they expect  
will be final, subject to court approval, before the hearing. Thus,  
the parties expect to ask the Court to vacate this item from the  
Court's calendar.

**4. Motion to Extend Time Motion To Further Extend Deadline To File  
Objection To Allowance Of Claims:** 06-10725-lbr, USA Commercial Mortgage  
Company

**Motion Filed:** 12/18/2009 Motion to Extend Time Motion To Further Extend Deadline To  
File Objection To Allowance Of Claims filed by ROB CHARLES  
on behalf of USACM LIQUIDATING TRUST [7844]

**Status** No response filed. Counsel will request the Court enter an order  
approving the motion and extending the deadline.

**5. Motion for Continuance of Trial Motion to 1) Continue Trial; and 2)  
to Extend the Discovery Cut-Off:** Adv. 08-01058-lbr USACM Liquidating Trust v.  
Los Valles Land & Golf, LLC et al.: Lead case: 06-10725-lbr USA Commercial  
Mortgage Company

**Motion Filed:** 12/23/2009 Motion for Continuance of Trial Motion to 1) Continue Trial; and  
2) to Extend the Discovery Cut-Off Filed by TIMOTHY A  
LUKAS on behalf of LOS VALLES LAND & GOLF, LLC, DAN  
S. PALMER Jr. [122]

**Filed:** 12/29/2009 Order Shortening Time for Hearing [126]

**Filed:** 12/31/2009 Notice of Entry of Order/Judgment [127]

**Response filed** 1/5/10- USACM Trust's Response to Motion to (1) Continue Trial; and  
(2) to Extend the Discovery Cut-Off [DE 128] filed by John  
Hinderaker on behalf of USACM Liquidating Trust

**Status** The parties have reached a tentative settlement that they expect  
will be final, subject to court approval, before the hearing. Thus,  
the parties expect to ask the Court to vacate this item from the  
Court's calendar.

1                   **6. Order Rescheduling Pre-Trial Conference:** Adv. 08-01135-lbr USACM  
2 Liquidating Trust et al v. Wells Fargo Bank, N.A. (ap) Lead case: 06-10725-lbr USA  
3 Commercial Mortgage Company

4       12/16/2009:           Order Rescheduling Pre-Trial Conference. Pre-Trial Conference  
5                               set for 1/11/2010 at 09:30 AM at LBR-Courtroom 1, Foley  
6                               Federal Bldg. [199]

7       **Status**

8                   Dated January 8, 2010.

9                                       **LEWIS AND ROCA LLP**

10                                      By: /s/ John Hinderaker, AZ 18024  
11   Rob Charles, NV 6593  
12   John Hinderaker, AZ 18024 (*pro hac vice*)  
  *Counsel for USACM Liquidating Trust*

13       **PROOF OF SERVICE**

14       COPY of the aforementioned sent via e-  
15       mail or U.S. First Class Mail postage  
16       prepaid on January 8, 2010 to the parties  
17       listed on Post-Effective Official Service  
18       List for Limited Notice No. 5 Dated  
19       March 31, 2009.

20                   /s/ Leilani Lista  
21       Leilani Lista  
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